

Notice of Allowability

Application No.

09/605,008

Examiner

(Iraj) Alan Rahimi

Applicant(s)

TODA, MASANARI

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to May 12, 2005.
2. ☒ The allowed claim(s) is/are 1-9, 11-19, 21-29 and 34-48.
3. ☒ The drawings filed on 27 June 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


EDWARD COLES

PERMISSORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Frank Cire on May 11, 2005.

The application has been amended as follows:

44. (Currently amended) A computer-executable program stored on a computer-readable medium, the computer program having ~~that has~~ a PDL mode, in which a drawing command is converted into a PDL data and the converted PDL data is transmitted to a printer, and an image mode, in which a drawing command is converted into an image data and the converted image data is transmitted to the printer, said program comprising:

a first computing step computing a processing time in the image mode;

a second computing code computing a processing time, including a data processing time and a data transmission time, in the PDL mode; and

a selection step selecting the PDL mode when the processing time in the image mode computed in said first computing step is longer than the processing time in the PDL mode computed in said second computing step, and selecting the image mode when the processing time in the image mode computed in said first computing step is not longer

than the processing time in the PDL mode computed in said second computing step.

45. (Currently amended) A computer-executable program stored on a computer-readable medium according to claim 44, further comprising a judging step judging whether an improper printing occurs in the PDL mode, wherein if said judging step judges that an improper printing occurs in the PDL mode, said selection step selects an RGB image mode, and if said judging step judges that an improper printing does not occur in the PDL mode, said selection step selects the PDL mode when the processing time in the image mode computed in said first computing step is longer than the processing time in the PDL mode computed in said second computing step, and selects a YMCK image mode when the processing time in the image mode computed in said first computing step is not longer than the processing time in the PDL mode computed in said second computing step.

46. (Currently amended) A computer-executable program stored on a computer-readable medium method according to claim 44, wherein the processing time in the PDL mode includes a subclosing time in the event that a band processing is impossible.

47. (Currently amended) A computer-executable program stored on a computer-readable medium according to claim 44, wherein the processing time in the PDL mode includes a PDL command generation time, a transmission time, a shipping preparation time and a shipping time, and the processing time in the image mode includes a drawing time, a transmission time and a shipping time.

48. (Currently amended) A computer-executable program stored on a computer-readable medium, the computer program having ~~that has~~ a PDL mode, in which a drawing command is converted into a PDL data and the converted PDL data is transmitted to a printer, and an image mode, in which a drawing command is converted into an image data and the converted image data is transmitted to the printer, said program comprising:

a judging step judging whether an improper printing occurs in the PDL mode; and

a selection step selecting the image mode when said judging step judges that an improper printing occurs in the PDL mode, and selecting the PDL mode when said judging step judges that an improper printing does not occur in the PDL mode.

Response to Amendment

2. In papers filed on March 21, 2005 applicant filed an RCE after allowance and amended claims 1, 11, 21, 34, 39, 44 and 48. In a subsequent paper on May 12, 2005 applicant submitted a proposed amendment for claims 44-48 indicating the necessary changes to preamble regarding computer programs stored on computer readable medium. Proposed amendment was entered using examiner's amendment. Changes to the claims further refined the limitations.

Allowable Subject Matter

3. Claims 1-9, 11-19, 21-29, 34-48 are allowed.

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4. The following is an examiner's statement of reasons for allowance: The changes made to the claim further narrow the limitations of the claim. The reason for allowance remains the same as indicated on Notice of Allowance paper dated December 15, 2004.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 571-272-7411. The examiner can normally be reached on Mon.-Fri. 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.


Alan Rahimi
May 12, 2005


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SENIOR PATENT EXAMINER
COMMUNICATIONS CENTER 1200